

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 2003P00364WO	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/EP2004/001811	International filing date (day/month/year) 24.02.2004	Priority date (day/month/year) 27.02.2003
International Patent Classification (IPC) or national classification and IPC A47B95/02		
Applicant BSH BOSCH UND SIEMENS HAUSGER[TE GMBH et Al.		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of _____ sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising: a. <input type="checkbox"/> (sent to the applicant and to the International Bureau) a total of _____ sheets, as follows: <input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
4. This report contains indications relating to the following items: <input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/001811

Box No. I

Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):*
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1-9 _____ as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. 1-13 _____ as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* _____ received by this Authority on _____
- nos.* _____ received by this Authority on _____
- ☒ the drawings:
- sheets 1/2-2/2 _____ as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/001811

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	3, 4, 8, 9, 10, 13	YES
	Claims	1, 2, 5-7, 11, 12	NO
Inventive step (IS)	Claims		YES
	Claims	1-13	NO
Industrial applicability (IA)	Claims	1-13	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

Reference is made to the following documents:

- D1: GB 225 971 A (CECIL JOSEPH LANGSTONE; DIE CASTINGS LTD) 18 December 1924 (1924-12-18)
- D2: DE 197 51 310 A (BOSCH SIEMENS HAUSGERAETE) 20 May 1999 (1999-05-20)
- D3: DE 34 36 990 A (LUTTENBERGER JO) 10 April 1986 (1986-04-10).

1. The present application does not meet the requirements of PCT Article 33(1) because the subject matter of claims 1 and 12 is not novel within the meaning of PCT Article 33(2).

Document D1 discloses (the references between parentheses relate to D1):

a handle for mounting on a door of a piece of furniture and having an elongated central handle part (3) and two handle end parts (1a, 2a) which are fixed to the central handle part (see page 2, lines 52 and 53) by means of a plug-in element

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Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

(1d, 2d) which is inserted into a recess in the central handle part (3), wherein the handle end parts are attached to the central handle part in such a way that they extend it in a longitudinal direction and the recess has a peripheral wall along its full length.

Document D3 discloses (the references between parentheses relate to D3):

a modular kit for a handle as described above, which consists of central handle parts (g) and handle end parts (W1).

2. The present application does not meet the requirements of PCT Article 33(1) since the subject matter of claim 13 does not involve an inventive step within the meaning of PCT Article 33(3).

Document D1 is considered the prior art closest to the subject matter of claim 13. It discloses (the references between parentheses relate to D1):

a handle consisting of two cast aluminium handle end parts and a tube as the central handle part (see page 2, lines 13-26).

The subject matter of claim 13 therefore differs from the known method for producing the handle in that it is not obvious whether the central handle part is in the form of an extruded profile cut to

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a specified length.

The problem to be solved by the present invention is therefore understood to be that of specifying a method for producing a door handle wherein a suitable piece of extruded profile is provided.

The solution proposed in claim 13 of the present invention therefore cannot be considered inventive (PCT Article 33(3)), for the following reasons:

The production of the central handle part from a suitable extruded profile, cut to an appropriate length, is the most obvious solution and only one of several obvious possibilities from which a person skilled in the art would choose according to the circumstances in order to solve the problem of interest, without thereby being inventive.

3. Dependent claims 2-11 contain no features which, combined with the features of any claim to which they refer, meet the PCT requirements for novelty and inventive step. The reasons are as follows:

document D1 discloses the technical features of dependent claims 2, 5, 6, 7 and 11.

Additional features of dependent claims 3 and 4 relate to details generally known in the prior art.

The features of dependent claims 8 and 9 are

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merely some of a number of obvious possibilities from which a person skilled in the art would choose according to the circumstances in order to solve the problem of interest, without thereby being inventive.

The features of dependent claim 10 were already used for the same purpose with a similar door handle (see document D2, in particular figure 2). To a person skilled in the art it was therefore obvious to use these features with a handle according to document D1 to corresponding effect, and in this way to arrive at a door handle according to claim 10.

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of:

Box I

With regard to the elements of the international application, **this report is based on:**

In the version for the Contracting States:

AL AT BE BG CH CY CZ DE DK EE ES FI FR GB GR HU IE IT LI
LT LU LV MC MK NL PL PT RO SE SI SK TR

Description, pages:

1-9, as originally filed

Claims:

1-13, as originally filed

Drawings, sheets:

1/2 to 2/2, as originally filed.